

IN THE UNITED STATES OF AMERICA
EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION

FILED
U.S. DISTRICT COURT
EASTERN DISTRICT OF TEXAS

AUG 15 2013

DAVID J. MALAND, CLERK
BY
DEPUTY

UNITED STATES OF AMERICA

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§
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§
§
§

v.

No. 4:13CR174
Judge Crone

NICHOLAS RUSSELL ALEXANDER (1)
MICHAEL RAY a.k.a. "Curly" (2)
JEROMY MULLINS a.k.a. "Red" (3)
JONATHAN ORTEGA (4)
AUGUSTO MARTINEZ (5)
CURTIS FORD a.k.a. "Lowrider" (6)
JEFFREY TAVENER (7)
AARON COLUNGA a.k.a. "Emanuel
Gutierrez" (8)

FIRST SUPERSEDING INDICTMENT

THE UNITED STATES GRAND JURY CHARGES:

Count One

Violation: 18 U.S.C. § 371
(Conspiracy to Possess Stolen Firearms
in violation of 18 U.S.C. § 922(j))

1. In or about June 2012, and continuing through August 14, 2013, in the
Eastern District of Texas, the defendants,

**Nicholas Russell Alexander
Michael Ray, a.k.a. "Curly"
Jeromy Mullins, a.k.a. "Red"
Jonathan Ortega
Augusto Martinez
Curtis Ford, a.k.a. "Lowrider"
Jeffrey Tavener
Aaron Colunga, a.k.a. "Emanuel Gutierrez"**

did knowingly and willfully combine, conspire, confederate and agree with others known and unknown to the Grand Jury, to possess stolen firearms, a violation of 18 U.S.C.

§ 922(j).

Overt Acts

2. In furtherance of the conspiracy and to achieve the object thereof, the defendant and other conspirators known and unknown to the Grand Jury, committed and caused to be committed the following overt acts, among others, in the Eastern District of Texas and elsewhere;

A. In or about June 2012, **Nicholas Russell Alexander** and **Michael Ray, a.k.a. "Curly,"** burglarized a storage unit at the Store More storage facility located in Murphy, Texas, in the Eastern District of Texas. **Nicholas Russell Alexander** and **Michael Ray, a.k.a. "Curly,"** stole at least sixty firearms and transported them to the residence of **Jeromy Mullins, a.k.a. "Red,"** located in Terrell, Texas.

B. All of the above subjects knew the firearms were stolen at the time they possessed them.

C. **Jeromy Mullins, a.k.a. "Red,"** allowed the firearms to be stored at his residence. **Aaron Colunga, a.k.a. "Emanuel Gutierrez,"** assisted **Jeromy Mullins, a.k.a. "Red,"** in selling seven of the stolen firearms to **Jonathan Ortega**. **Aaron Colunga, a.k.a. "Emanuel Gutierrez,"** drove **Jonathan Ortega** to the residence of **Jeromy Mullins, a.k.a. "Red,"** and used **Aaron Colunga,**

a.k.a. Emanuel Gutierrez's vehicle to transport the weapons for **Jonathan Ortega**.

D. **Jonathan Ortega** sold these seven stolen firearms to **Augusto Martinez**.

Augusto Martinez sold three of these stolen firearms to undercover Dallas Police officers on June 22, 2012.

E. **Michael Ray, a.k.a. "Curly,"** later had an unidentified conspirator transport at least thirty of the stolen firearms to **Curtis Ford, a.k.a. "Lowrider."** **Curtis Ford, a.k.a. "Lowrider,"** then sold all of the stolen firearms in his possession to **Jeffrey Tavener**. **Jeffrey Tavener** sold the majority of the firearms to drug dealer in Dallas, Texas.

In violation of 18 U.S.C. § 371.

Count Two

Violation: 18 U.S.C. § 922(j)
(Possession of Stolen Firearms)

In or about June 2012, **Nicholas Russell Alexander** and **Michael Ray, a.k.a. "Curly,"** did knowingly possess one or more of the following stolen firearms in the Eastern District of Texas:

1. Romarm, Model Mini Draco, 7.62x39 caliber pistol, serial number PD-1264-2011-RO;
2. Romarm, Model Mini Draco, 7.62x39 caliber pistol, serial number PD-1448-2011-RO;
3. Romarm, Model Mini Draco, 7.62x39 caliber pistol, serial number PD-1270-2011-RO;
4. Romarm, Model Mini Draco, 7.62x39 caliber pistol, serial number PD-1685-2011-RO;
5. Romarm, Model Mini Draco, 7.62x39 caliber pistol, serial number PD-2095-2011-RO;
6. Romarm, Model Mini Draco, 7.62x39 caliber pistol, serial number PD-1738-2011-RO;

7. Romarm, Model Draco, 7.62x39 caliber pistol, serial number DC9630-11-RO;
8. Romarm, Model Mini Draco, 7.62x39 caliber pistol, serial number; PD-1734-2011-RO;
9. Romarm, Model Mini Draco, 7.62x39 caliber pistol, serial number PD-1266-2011-RO;
10. Israel Military Industries, Model Desert Eagle, .44 caliber pistol, serial number; 94173;
11. Romarm, Model FPK Dragunov, 7.62x54 caliber rifle, serial number KR1708;
12. Century Arms, Inc., Model Tantal Sporter, 5.45x39 caliber rifle, serial number Y003675; and
13. Romarm, Model Draco, 7.62x39 caliber pistol, serial number DC9596-11-RO.

These firearms had been shipped and transported in interstate commerce and the defendant knew and had reasonable cause to believe the firearms were stolen.

In violation of 18 U.S.C. § 922(j).

Count Three

Violation: 18 U.S.C. § 922(g)(1)
(Felon in Possession of a Firearm)

In or about June 2012, within the Eastern District of Texas, **Michael Ray, a.k.a. "Curly,"** defendant, having been convicted of a crime punishable by imprisonment for a term exceeding one year, did knowingly possess in and affecting commerce the following firearms:

1. Romarm, Model Mini Draco, 7.62x39 caliber pistol, serial number PD-1264-2011-RO;
2. Romarm, Model Mini Draco, 7.62x39 caliber pistol, serial number PD-1448-2011-RO;
3. Romarm, Model Mini Draco, 7.62x39 caliber pistol, serial number PD-1270-2011-RO;
4. Romarm, Model Mini Draco, 7.62x39 caliber pistol, serial number PD-1685-2011-RO;

5. Romarm, Model Mini Draco, 7.62x39 caliber pistol, serial number PD-2095-2011-RO;
6. Romarm, Model Mini Draco, 7.62x39 caliber pistol, serial number PD-1738-2011-RO;
7. Romarm, Model Draco, 7.62x39 caliber pistol, serial number DC9630-11-RO;
8. Romarm, Model Mini Draco, 7.62x39 caliber pistol, serial number; PD-1734-2011-RO;
9. Romarm, Model Mini Draco, 7.62x39 caliber pistol, serial number PD-1266-2011-RO;
10. Israel Military Industries, Model Desert Eagle, .44 caliber pistol, serial number; 94173;
11. Romarm, Model FPK Dragunov, 7.62x54 caliber rifle, serial number KR1708;
12. Century Arms, Inc., Model Tantal Sporter, 5.45x39 caliber rifle, serial number Y003675; and
13. Romarm, Model Draco, 7.62x39 caliber pistol, serial number DC9596-11-RO.

In violation of 18 U.S.C. § 922(g)(1).

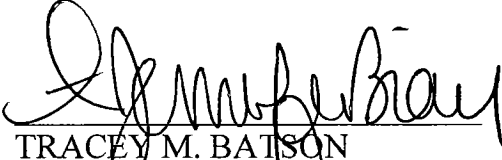
NOTICE OF INTENTION TO SEEK CRIMINAL FORFEITURE

As a result of committing the offense charged in this Indictment, the defendant shall forfeit to the United States, pursuant to 18 U.S.C. § 924(d), all property used to commit or facilitate the offenses, proceeds from the offenses, and property derived from proceeds obtained directly or indirectly from the offenses.

All such proceeds and/or instrumentalities are subject to forfeiture by the government.

A TRUE BILL

JOHN M. BALES
UNITED STATES ATTORNEY


TRACEY M. BATSON
Assistant United States Attorney

Sw
GRAND JURY FOREPERSON

8-14-13
Date

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Count One

Violation: 18 U.S.C. § 371

Penalty: Imprisonment for not more than 5 years, a fine not to exceed \$250,000, or both. A term of supervised release of not more than three years.

Special Assessment: \$100.00

Count Two

Violation: 18 U.S.C. § 922(j)

Penalty: Imprisonment for not more than ten years; a fine not to exceed \$250,000, or both. A term of supervised release of not more than three years.

Special Assessment: \$100.00

Count Three

Violation: 18 U.S.C. § 922(g)(1)

Penalty: Imprisonment for a term of not more than ten years; a fine not to exceed \$250,000.00; and supervised release of not more than three years.

Special Assessment: \$100.00